9Serial No.: 10/780804

Attorney Docket No: 160-029

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DEC 2 0 2005 Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid CMB control number. Application Number 10/780804 **TRANSMITTAL** Filing Date 2/18/2004 FORM First Named Inventor Backes Art Unit 2665 (to be used for all correspondence after initial filing) Examiner Name Philpott Total Number of Pages in This Submission Attorney Docket Number 160-029 ENCLOSURES (Check all that apply) After Allowance communication to (TC) Fee Transmittal Form Drawing(s) Appeal Communication to Board of Fee Attached Licensing-related Papers Appeals and Interferences Appeal Communication to TC Amendment / Reply Petition (Appeal Notice, Brief, Reply Brief) Petition to Convert to a After Final Proprietary Information Provisional Application Change of Correspondence Address Affidavits/declaration(s) Status Letter Other Enclosure(s) (please identify Terminal Disclaimer Extension of Time Request below): Express Abandonment Request Request for Refund CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Document(s) PLEASE CHARGE ANY FEE DEFICIENCY, INCLUDING THE ISSUE FEE, OR CREDIT ANY OVERPAYMENT TO Reply to Missing Parts/ Incomplete Application DEPOSIT ACCOUNT NO. 502569 Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Steubing McGuinness & Manaras LLP Signature 21 Holmes W. Anderson Printed name Date 12/20/2005 Reg. No. 37272 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mall in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Atexandria, VA 22313-1450 on the date shown below. ammei Signature Typed or printed name Carol Ann Mahoney Date 12/20/2005

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Group Art Unit: 2665

Examiner: Philpott

DEC 2 0 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Backes

Application No.: 10/780804

Filed: 2/18/2004

Title: Apparatus for Selecting an Optimum Access

Point in a Wireless Network

Attorney Docket No.: 160-029

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE UNDER 37 CFR 1.111

Dear Sir:

In response to the Office Action of September 30, 2005, please amend this application as follows: